

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>In re Application of:</b> <b>PAYNE, Patrick</b>	<b>Docket No.: 100160.010100OTA</b>
<b>Serial No.: 10/511,456</b>	<b>Confirmation No.: 9929</b>
<b>Filing Date: October 15, 2004</b>	<b>Art Unit: 2155</b>
<b>Title: METHOD AND SYSTEM OF OVER-THE-AIR ACTIVATION AND MODIFICATION OF A MOBILE PHONE</b>	<b>Examiner: KIM, Edward J</b>

**RESPONSE UNDER 37 CFR §1.116**

Commissioner for Patents  
P.O. Box 1450  
**Mail Stop Amendment**  
Alexandria, VA 22313-1450

Sir:

In response to the outstanding office action dated May 12, 2009 in the referenced application, please enter the following amendment, which places the application in condition for allowance or in better condition for appeal, as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.